

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE GEISINGER SYSTEM
SERVICES AND EVANGELICAL
COMMUNITY HOSPITAL
HEALTHCARE WORKERS
ANTITRUST LITIGATION

No. 4:21–cv–00196

Chief Judge Matthew W. Brann

PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION

Plaintiffs Nichole Leib and Kevin Brokenshire (“Plaintiffs”) respectfully move for certification under Federal Rule of Civil Procedure (“Rule”) 23(b)(3) of a class (the “Class”) defined as follows:

All natural persons who worked at Geisinger or Evangelical Community Hospital as Healthcare Workers¹ from January 1, 2014 through August 5, 2020 (“Class Period”).

Excluded from the Class are members of Defendants’ boards of directors, Defendants’ C-Suite Executives,² and any and all judges assigned to hear or adjudicate any aspect of this litigation and their judicial staff.

Plaintiffs move further that the Plaintiffs be appointed as class representatives under Rule 23(a) and that Berger Montague PC and Cotchett, Pitre

¹ “Healthcare Workers” are defined as nurses, physicians, advanced practitioners, medical support personnel, and other healthcare professionals.

² C-Suite Executives are executives responsible for day-to-day operation of Defendants with job titles including, for example, “Chief,” “Executive,” “CMO,” “CNO,” and “President.” They are identifiable via Defendants’ wage data.

& McCarthy, LLP be appointed as Co-Lead Class Counsel under Rule 23(a) and (g).

In support of this motion, Plaintiffs rely upon the accompanying Memorandum of Law, the Appendix of Unpublished Opinions, and the proposed Order as well as the Declaration of Adam J. Zapala and Exhibits thereto concurrently submitted.

Pursuant to Local Rule 7.1, Interim Co-Lead Counsel for Plaintiffs and the Proposed Class certify they have sought concurrence in this motion from each Defendant (Geisinger System Services and Evangelical Community Hospital) and that it has been denied by each Defendant.

Dated: June 14, 2024

/s/ Adam J. Zapala

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Interim Co-Lead Counsel for Plaintiffs and the Proposed Class

CERTIFICATE OF SERVICE

I, Adam J. Zapala, hereby certify that on June 14, 2024, I filed a true and correct copy of the foregoing Plaintiffs' Motion for Class Certification via ECF and mail to the Clerk of Court. I further certify that the same documents were served via email upon all counsel of record in this matter.

/s/ Adam J. Zapala
Adam J. Zapala